

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 428

Introduced by Assembly Member Eggman

February 15, 2013

An act to amend Sections 4980.41 and 4996.2 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 428, as amended, Eggman. Healing arts: marriage and family therapists: clinical social workers: coursework.

Existing law provides for the licensure or registration and regulation of marriage and family therapists and interns by the Board of Behavioral Sciences. Under existing law, until January 1, 2019, an applicant for a marriage and family therapist licensure or registration who began graduate study before August 1, 2012, and completes that study on or before December 31, 2018, is required to complete prescribed coursework or training to be eligible to sit for a licensing examination.

Under existing law, the prescribed coursework and training require, among other things, that a master's or doctor's degree qualifying for licensure include specific instruction in alcoholism and other chemical substance dependency.

This bill would specify that coursework requirement may be satisfied if taken in fulfillment of other educational requirements for licensure or in a separate course, and that the applicant may satisfy the requirement by successfully completing the coursework ~~with~~ *from* a master's or doctoral degree program at an accredited or approved institution or with a ~~board-approved~~ *board-accepted* provider of continuing education, as specified.

The prescribed coursework and training also require that a master's or doctor's degree qualifying for licensure include coursework in spousal or partner abuse assessment, detection, and intervention, as specified. Existing law provides that those requirements may be satisfied if taken in fulfillment of other educational requirements for licensure or in a separate course, and may be satisfied by a specified certification from the chief academic officer of the educational institution from which the applicant graduated.

This bill would specify that the applicant may meet this requirement by successfully completing this coursework ~~with~~ *from* a master's or doctoral degree program at an accredited or approved institution or ~~with~~ *from a board-approved board-accepted* provider of continuing education, as described. This bill would delete provisions that permit the board to accept as satisfaction of those coursework requirements certification from the chief academic officer of the educational institution.

Existing law provides for the licensure and regulation of clinical social workers by the Board of Behavioral Sciences. Under existing law, an applicant for a clinical social worker license is required to furnish to the board evidence that he or she has, among other things, completed instruction and training in spousal or partner abuse assessment, detection, and intervention strategies, as specified, which may be satisfied by a specified certification from the chief academic officer of the educational institution from which the applicant graduated.

This bill would delete provisions that permit the board to accept as satisfaction of those coursework requirements certification from the chief academic officer of the educational institution.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4980.41 of the Business and Professions
- 2 Code is amended to read:
- 3 4980.41. (a) An applicant for licensure whose education
- 4 qualifies him or her under Section 4980.37 shall complete the
- 5 following coursework or training in order to be eligible to sit for
- 6 the licensing examinations as specified in subdivision (d) of Section
- 7 4980.40:
- 8 (1) A two semester or three quarter unit course in California
- 9 law and professional ethics for marriage and family therapists,

1 which shall include, but not be limited to, the following areas of
2 study:

3 (A) Contemporary professional ethics and statutory, regulatory,
4 and decisional laws that delineate the profession's scope of
5 practice.

6 (B) The therapeutic, clinical, and practical considerations
7 involved in the legal and ethical practice of marriage and family
8 therapy, including family law.

9 (C) The current legal patterns and trends in the mental health
10 profession.

11 (D) The psychotherapist-patient privilege, confidentiality, the
12 patient dangerous to self or others, and the treatment of minors
13 with and without parental consent.

14 (E) A recognition and exploration of the relationship between
15 a practitioner's sense of self and human values and his or her
16 professional behavior and ethics.

17 This course may be considered as part of the 48 semester or 72
18 quarter unit requirements contained in Section 4980.37.

19 (2) A minimum of seven contact hours of training or coursework
20 in child abuse assessment and reporting as specified in Section 28
21 and any regulations promulgated thereunder.

22 (3) A minimum of 10 contact hours of training or coursework
23 in human sexuality as specified in Section 25, and any regulations
24 promulgated thereunder. When coursework in a master's or
25 doctor's degree program is acquired to satisfy this requirement, it
26 shall be considered as part of the 48 semester or 72 quarter unit
27 requirement contained in Section 4980.37.

28 (4) For persons who began graduate study on or after January
29 1, 1986, a master's or doctor's degree qualifying for licensure shall
30 include specific instruction in alcoholism and other chemical
31 substance dependency as specified by regulation. When coursework
32 in a master's or doctor's degree program is acquired to satisfy this
33 requirement, it shall be considered as part of the 48 semester or
34 72 quarter unit requirement contained in Section 4980.37.
35 Coursework required under this paragraph may be satisfactory if
36 taken either in fulfillment of other educational requirements for
37 licensure or in a separate course. The applicant may satisfy this
38 requirement by successfully completing this coursework ~~with~~ *from*
39 a master's or doctoral degree program at an accredited or approved
40 institution, as described in subdivision (b) of Section 4980.37, or

1 ~~with from a board-approved~~ *board-accepted* provider of continuing
2 education, as described in Section 4980.54.

3 (5) For persons who began graduate study during the period
4 commencing on January 1, 1995, and ending on December 31,
5 2003, a master's or doctor's degree qualifying for licensure shall
6 include coursework in spousal or partner abuse assessment,
7 detection, and intervention. For persons who began graduate study
8 on or after January 1, 2004, a master's or doctor's degree qualifying
9 for licensure shall include a minimum of 15 contact hours of
10 coursework in spousal or partner abuse assessment, detection, and
11 intervention strategies, including knowledge of community
12 resources, cultural factors, and same gender abuse dynamics.
13 Coursework required under this paragraph may be satisfactory if
14 taken either in fulfillment of other educational requirements for
15 licensure or in a separate course. The applicant may satisfy this
16 requirement by successfully completing this coursework ~~with from~~
17 a master's or doctoral degree program at an accredited or approved
18 institution, as described in subdivision (b) of Section 4980.37, or
19 ~~with from a board-approved~~ *board-accepted* provider of continuing
20 education, as described in Section 4980.54.

21 (6) For persons who began graduate study on or after January
22 1, 2001, an applicant shall complete a minimum of a two semester
23 or three quarter unit survey course in psychological testing. When
24 coursework in a master's or doctor's degree program is acquired
25 to satisfy this requirement, it may be considered as part of the 48
26 semester or 72 quarter unit requirement of Section 4980.37.

27 (7) For persons who began graduate study on or after January
28 1, 2001, an applicant shall complete a minimum of a two semester
29 or three quarter unit survey course in psychopharmacology. When
30 coursework in a master's or doctor's degree program is acquired
31 to satisfy this requirement, it may be considered as part of the 48
32 semester or 72 quarter unit requirement of Section 4980.37.

33 (8) The requirements added by paragraphs (6) and (7) are
34 intended to improve the educational qualifications for licensure in
35 order to better prepare future licentiates for practice and are not
36 intended in any way to expand or restrict the scope of practice for
37 marriage and family therapists.

38 (b) This section shall remain in effect only until January 1, 2019,
39 and as of that date is repealed, unless a later enacted statute, that
40 is enacted before January 1, 2019, deletes or extends that date.

1 SEC. 2. Section 4996.2 of the Business and Professions Code
2 is amended to read:

3 4996.2. Each applicant shall furnish evidence satisfactory to
4 the board that he or she complies with all of the following
5 requirements:

6 (a) Is at least 21 years of age.

7 (b) Has received a master's degree from an accredited school
8 of social work.

9 (c) Has had two years of supervised post-master's degree
10 experience, as specified in Section 4996.23.

11 (d) Has not committed any crimes or acts constituting grounds
12 for denial of licensure under Section 480. The board shall not issue
13 a registration or license to any person who has been convicted of
14 any crime in this or another state or in a territory of the United
15 States that involves sexual abuse of children or who is required to
16 register pursuant to Section 290 of the Penal Code or the equivalent
17 in another state or territory.

18 (e) Has completed adequate instruction and training in the
19 subject of alcoholism and other chemical substance dependency.
20 This requirement applies only to applicants who matriculate on or
21 after January 1, 1986.

22 (f) Has completed instruction and training in spousal or partner
23 abuse assessment, detection, and intervention. This requirement
24 applies to an applicant who began graduate training during the
25 period commencing on January 1, 1995, and ending on December
26 31, 2003. An applicant who began graduate training on or after
27 January 1, 2004, shall complete a minimum of 15 contact hours
28 of coursework in spousal or partner abuse assessment, detection,
29 and intervention strategies, including knowledge of community
30 resources, cultural factors, and same gender abuse dynamics.
31 Coursework required under this subdivision may be satisfactory
32 if taken either in fulfillment of other educational requirements for
33 licensure or in a separate course.

34 (g) Has completed a minimum of 10 contact hours of training
35 or coursework in human sexuality as specified in Section 1807 of
36 Title 16 of the California Code of Regulations. This training or
37 coursework may be satisfactory if taken either in fulfillment of
38 other educational requirements for licensure or in a separate course.

39 (h) Has completed a minimum of seven contact hours of training
40 or coursework in child abuse assessment and reporting as specified

- 1 in Section 1807.2 of Title 16 of the California Code of Regulations.
- 2 This training or coursework may be satisfactory if taken either in
- 3 fulfillment of other educational requirements for licensure or in a
- 4 separate course.